

February 26, 2009 Minutes of Bigfork Land Use Advisory Committee

Committee members present: Darrel Coverdell, John Bourquin, Shelley Gonzales, Paul Guerrant, Al Johnson, Chuck Gough, and 6 members of the public.

Chairman Gonzales called the meeting to order at 4: 09 pm.

The Agenda was adopted as presented (m/sc Bourquin/Gough) – unanimous.

A motion was made to accept the minutes from the January 29, 2009 as emailed (m/sc Gough/Coverdell)- unanimous.

ADMINISTRATOR’S REPORT:

A. Sign-in Sheet: Reminder to the public of the availability of BLUAC minutes through email and BSC website bigforksteering.org/.

B. Application status: Shaggagi “Conditional Use Permit” has not been heard from either by mail or phone. It is now considered a dead issue.

Stoddard: The Stoddard’s have been told to close their store as it does not fit the qualifications of the Flathead County home based business regulations. The Stoddard’s have asked to continue their Tues- Thurs night sessions but have not submitted any application yet. It was also brought out that their house was up for sale and has a sign in the front yard.

SNAF LLC: The Commissioners passed a resolution to adopt the zoning change for the SNAFF LLC project. It is in a 30 day public comment and will be going to the Commissioners next week or the week after for final approval.

APPLICATIONS:

None

OLD BUSINESS:

- A. Bigfork Neighborhood Plan:** The Bigfork Steering Committee held a meeting to discuss the matter of the Neighborhood Plan. We are scheduled to go before the Planning Board on March 25, 2009. Our meeting was held to determine what position we should take with the planning board. Do we accept their changes or do we just move forward as it is now written after removing 2 statements that are no longer appropriate. After much discussion it is felt that this is Bigfork’s Plan, that it came from the community of people in Bigfork, that many of us have worked with it in different capacities and that it is our plan. A motion was made to send a delegation to speak with Jeff Harris and BJ Grieve (m/sc Zabaro/Loranger) before the March 25, 2009 meeting. The delegation consists of Shelley Gonzales, Craig Wagner, Al Johnson, and Don Loranger.
- B. Sign Violations:** George Smith presented us with a report on the Ten Commandment signs. He has met with several groups and consulted with many legal entities and it has been determined that these signs are allowable under conditions which they all meet. George also found out there is a rather large group behind this movement and he was told they will fight their removal all the way to the United States Supreme Court. (See attached picture) On other signs “the process is dysfunctional”. After three notices the violation goes to the county attorney’s office where it is put in a pile and maybe it will get read in 2 years. George would like to be deputized and carry a badge so he could issue citations perhaps

A motion was made to send a letter to the commissioners asking them to give George Smith, who investigates these violations, the authority to cite and fine. (m/sc Coverdell/Gonzales). Motion passed. George will get back to BLUAC with the exact wording he needs.

NEW BUSINESS:

A. Quiet Title/Abandoned Roads In Bigfork Village:

Jay Whitney and his wife Sandy, came to the meeting to give us an education on problems with older land titles. It seems over the years lands have changed hands and been recorded and some areas not recorded but left for public use. Now there are those who are trying to take recorded ownership of these lands so there appears to be some controversy. Please Call Jay and Sandy Whitney for more information. Phone # is 442-2303 sandrawhitney@gmail.com

B. Annual Review of BLUAC By-Laws :

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3. Secretary:

A Secretary, elected annually by the Committee shall be responsible for keeping minutes and recording attendance. Minutes of each meeting shall be forwarded in a timely fashion to BLUAC, Flathead Planning and Zoning, and the public in "draft form" until the minutes are approved at the next regular BLUAC meeting.

3 Secretary/Treasurer:

A Secretary/Treasurer, elected annually from within the Committee, shall be responsible for maintenance of files, records and correspondence pertaining to the business and financial matters of the Committee. Annually, after elections, FCPZ shall receive an updated membership roster. In lieu of a Committee member, a volunteer from outside the Committee may perform the function. In this situation, the Secretary/Treasurer could not vote and would serve in a staff position. Minutes of each meeting shall be forwarded in a timely fashion to BLUAC, Flathead Planning & Zoning, and the public in "DRAFT" form until Minutes are approved by BLUAC at the next regular meeting.

MEETINGS:

All meetings shall operate under Robert's Rules of Order and shall be open to the public.

A quorum shall consist of four (4) Committee members in attendance at a duly called meeting.

The Bigfork Land Use Advisory Committee shall meet monthly at a time and place to be determined by the Committee.

Special meetings may be called by the Chairman, or any four (4) Committee members at any time provided that the Committee members and the public receive at least 48 hours notice. Public notice will be provided in 3 public places.

The BLUAC Secretary/~~Treasurer~~ shall provide committee agendas at least five working days prior to FCPZ for posting on the FCPZ web page.

DUTIES:

1. Review and give recommendations on all Bigfork area applications pending before FCPZ.
2. Solicit and encourage input from the community at large, as well as adjoining landowners, as scales of projects warrant.
3. Forward written recommendations to the FCPZ in a timely fashion on all reviewed projects.
4. ~~Review and, from time to time,~~ When appropriate, offer amendments to the BALUP and any associated regulations, to keep them current, to improve efficiency, and to address problems.
5. Process and forward reported violations of the BALUP and associated County regulations to the proper authorities.
6. ~~Communicate regularly with the citizens of the Bigfork community through printed media, town meetings, and any other means deemed necessary or desirable in order to obtain the opinions, comments and suggestions regarding issues which are of~~
7. ~~concern to the Bigfork community.~~

AMENDMENTS:

~~These by-laws may be amended at a regular meeting by a two-thirds (2/3) vote of the Committee and approval of the County Commissioners.~~

When duly noted, these by-laws may be amended at a regular meeting by a two-thirds (2/3) vote of the Committee and approval of the County Commissioners. The pending amendment shall be included in the regular BLUAC meeting agenda.

COMMITTEES:

The Bigfork Steering Committee (BSC) shall be a standing advisory committee of BLUAC. The BSC will operate under its own board of officers and bylaws. The BSC may report to BLUAC in written or oral form. Minutes of a BSC meeting shall suffice as a formal report.

Other committees may be appointed from time to time, as required by BLUAC to conduct business as ad hoc entities.

APPLICATIONS:

Applicants should present proposals to BLUAC or a committee charged by BLUAC, at a public meeting 30 days prior to submission of their completed application to the Flathead County Planning & Zoning Office.

1. Immediately upon a FCPZ determination that the application is sufficient, a copy of the application and all pertinent information shall be forwarded to each of the BLUAC members. The packet shall note the time frame for the Committee's response provides a list of the names and addresses of the adjoining property owners.
2. The FCPZ shall notify all adjoining property owners within 150 feet or as local regulations require Bigfork Land Use Advisory Committee meeting. In addition, FCPZ shall reference the BLUAC meeting in the legal notice placed in the official county newspaper.
3. In addition to notices sent out by the FCPZ, the BLUAC may place written notice at convenient places throughout the region or within the immediate vicinity of the property in question as deemed appropriate or necessary by the BLUAC.
4. BLUAC members shall review the property in question.
5. BLUAC may hold additional neighborhood meetings to air issues and receive input.
- ~~6. Based on the BLUAC site review and input received at a neighborhood meeting, the Committee shall forward a recommendation by BLUAC to the FCPZ.~~
6. **Recommendation's** shall be forwarded in writing within five days following the BLUAC meeting to the FCPZ, and shall be included in all further reports by FCPZ to the County Commissioners or other entities.

PUBLIC COMMENT:

None

Meeting was adjourned at 6:00 p.m.

Pat Wagner
Acting Secretary

